

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

11-CR-6153L

v.

TRYN PARKER,

Defendant.

This Court referred all pretrial matters and motions to United States Magistrate Judge Jonathan W. Feldman pursuant to 28 U.S.C. § 636(b). Defendant, Tryn Parker (“Parker”), is charged with failing to surrender for service of a sentence that this Court previously imposed on him for bank fraud.

Parker, represented by counsel, filed a *pro se* motion (Dkt. #34) to dismiss the indictment. The motion was briefed, the Magistrate Judge heard argument and issued a Report and Recommendation (Dkt. #46) which recommended that this Court deny the motion to dismiss. Parker filed an objection to the Report and Recommendation (Dkt. #47), *pro se*.

I have carefully reviewed the pleadings as well as Parker’s objections to the Magistrate Judge’s Report and Recommendation, and I find no basis to reject or modify the Magistrate Judge’s Report and Recommendation. I agree with Magistrate Judge Feldman’s assessment that there is no basis in any of Parker’s pleadings to warrant dismissal of the pending indictment. Therefore, I accept and adopt the Magistrate Judge’s Report and Recommendation and deny the defendant’s motion to dismiss the indictment.

CONCLUSION

I accept and adopt the Report and Recommendation (Dkt. #46) of United States Magistrate Judge Jonathan W. Feldman.

I deny defendant's *pro se* motion (Dkt. #34) to dismiss the indictment.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
July 18, 2012.